

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARC VEASEY, <i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Civil Action No. 2:13-cv-193 (lead)
	§	(consolidated w/ 2:13-cv-263
GREG ABBOTT, <i>et al.</i> ,	§	2:13-cv-291
	§	2:13-cv-348)
Defendants.	§	

JOINT MOTION TO EXPEDITE THE INTERIM REMEDY SCHEDULE

For the reasons set out below, all parties respectfully move this Court to enter an order modifying the interim remedy schedule.

On July 20, 2016, the Fifth Circuit Court of Appeals, sitting *en banc*, affirmed this Court’s finding that SB 14 violates Section 2 of the Voting Rights Act. *Veasey v. Abbott*, No. 14-41127, slip op. at 72 (5th Cir. July 20, 2016) (*en banc*). In light of this holding, the Fifth Circuit directed that SB 14 should not “remain in operation for the [November 2016 general] election.” *Id.* at 82. That same day, the Fifth Circuit issued its mandate.

On July 21, 2016, this Court issued an order setting a schedule to consider and order an appropriate interim remedy for the November election. The order currently requires the parties to meet and confer by July 29, to submit proposed plans and supportive briefing by August 5, to file any response by August 11, and

to appear for a hearing on August 17. The parties have begun the meet and confer process, have agreed on a temporary interim remedy for the special election in House District 120, and continue to confer productively about the appropriate remedy for the November election.

The parties are grateful that this Court acted with dispatch to impose a schedule intended to enter a remedial order “as soon as possible.” *Veasey*, slip op. at 84-85. The parties are concerned, however, that if they are unable to reach agreement on an interim remedy, the current briefing schedule may impact the State’s ability to implement fully an interim remedy before early voting begins in October. The parties therefore respectfully request that this Court accelerate deadlines for submissions and conduct a hearing—if necessary—at its soonest convenience thereafter.

The parties also believe that they will be able to reach agreement on at least some terms for an appropriate interim remedy. To facilitate an efficient process and minimize the burden on the Court, the parties also request that the Court modify its scheduling order to direct a joint submission of agreed-upon terms simultaneous with any submission of proposed plans and supportive briefing on remaining issues in dispute.

In sum, the parties respectfully request that the July 21 order be superseded by an order that sets out the following schedule:

- Submission of agreed upon terms and separate submission of any matters that remain in dispute, along with supportive briefing, by no later than August 2.
- Responses concerning any matters that remain in dispute by no later than August 5.
- A hearing date at the Court's soonest convenience after August 5.

The parties greatly appreciate the Court's demonstrated willingness to address necessary remedies in this matter on an extraordinarily expedited basis. In proposing acceleration of the schedule, the parties hope to allow this Court adequate time to rule on any matters that remain in dispute, while leaving greater time for the State of Texas and its 254 counties to implement the remedial order successfully and minimizing voter confusion.

A proposed order is attached.

Respectfully submitted on July 26, 2016,

/s/ J. Gerald Hebert

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CERTIFICATE OF SERVICE

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